

GENERAL RULES FOR THE TRIAL OF CASES  
BEFORE JUDGE STEPHEN P. FRIOT

COUNSEL: PLEASE READ CAREFULLY

**PRIOR TO TRIAL:**

1. **Exhibits:** Please prepare an index of exhibits that you expect to offer, using the attached form. Provide three copies for the Court and a copy for opposing counsel. (There is no requirement that you offer your exhibits in sequence.)

Court time may not be used for marking exhibits. This must be done in advance of the court session. Exhibits shall be marked in numerical sequence. Duplicate exhibits will not be admitted.

Exhibits are to be marked numerically, including the case number, and are to be placed in three-ring binders separated by tabs. Two copies of the exhibit notebook will be provided to the Court on the first day of trial.

2. **Witnesses:** Please provide the Court with three copies of your witness list. One copy will be given to the court reporter to avoid asking the spelling of the witnesses' names.
3. **Depositions:** If you are going to use deposition testimony, you should advise opposing counsel of your proposed offer by page and line reference to enable the preparation of objections and the offer of additional portions. Written objections and evidentiary grounds must be filed with the Court at the pretrial conference. You are also required to provide a person (co-counsel or someone else) to read the answers.
4. **Audio-Visual Equipment:** If you intend to use any special equipment, such as videotapes, movies, slides or tape recorders, you are requested to make the appropriate arrangements prior to the date of the trial and to advise the courtroom deputy.

**TRIAL:**

1. Please be on time for each court session. Trial engagements take precedence over any other business. If you have matters in other courtrooms, arrange in advance for the handling of such matters by you or have an associate handle them for you.
2. Please stand when you address the Court or make objections. (Counsel with physical disabilities are excused from this requirement.)
3. Stand a respectful distance from the jury at all times. Statements and arguments to the jury will be made from the lectern.
4. In your opening statement to the jury, do not argue the case and do not discuss law. Confine yourself to a concise summary of the facts to follow. Do not describe in detail what individual witnesses will say. Unless the case is unusually complex, each party will be limited to 20 minutes.
5. Please stand when you question witnesses. (Counsel with physical disabilities are excused from this requirement.)
6. Except for children, address witnesses by their surnames, for example, Mr. A, Sergeant B or Doctor C.

7. Do not greet or introduce yourself to adverse witnesses. Commence your cross-examination without preliminaries.
8. When you object in the presence of the jury, make your objection short and to the point. Do not argue the objection in the presence of the jury and do not argue with the ruling of the Court in the presence of the jury. Do not make motions in the presence of the jury. Such matters may be raised at the first recess without waiving any rights by such delayed motion.
9. Never assert your personal opinion as to the credibility of a witness, the culpability of a civil litigant, or the guilt or innocence of an accused, nor as counsel assert personal knowledge of a fact in issue, nor assert a fact not in evidence.
10. When another counsel has the floor, do not distract the Court or jury by audibly conversing with your client or co-counsel, ostentatiously passing notes, rummaging through papers, or other conspicuous conduct.
11. Do not react to a statement by another counsel or a witness being examined by another counsel by the gesture or facial expression signifying agreement, disagreement, approval or disapproval. Advise your clients they are subject to this same limitation.
12. Do not bring food or beverage into the courtroom. Water is provided there.
13. Do not leave the courtroom while trial is in progress without obtaining leave of Court.
14. It is the obligation of counsel to have their witnesses available to prevent any delay in the presentation of testimony or running out of witnesses before 5:00 p.m. on any trial day. If counsel has a problem in this regard, it should be promptly brought to the Court's attention.
15. Where more than one attorney represents a party, only the attorney handling the particular witness may respond to an objection or raise an objection in regard to the testimony.
16. While the Court permits exhibits to be passed to the jury, this procedure should be used sparingly and reserved for truly significant exhibits. If possible, when you wish to publish an exhibit to the jury, have a copy for each juror.
17. Always show demonstrative exhibits or enlargements of admitted exhibits to opposing counsel before they are used or published to the jury.
18. If you have reason to anticipate that any question of law or evidence is particularly difficult, give the Court as much advance notice as possible.

Thank you for your cooperation.

Stephen P. Friot  
United States District Judge